IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11068 of 2004

Between:
1 Smt. Bhukya Mangamma, W/o Jagadish,
2 Guguloth Shanker, S/o Somla,
3 Guguloth Ramesh, S/o Somla,
All R/o 1-1, Old Paloncha, Bhadrachalam Road, Paloncha Mandal, Khammam District.

.....
PETITIONERS

AND

The Sub-Inspector of Police, Mulakalapalli P.S., Mulakalapalli Mandal, Khammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the inaction of the respondent police in providing protection to the petitioners and to their lands admeasuring Ac. 2.02 gts in Sy.No. 333/2. Ac. 2.19 gts in Sy.No. 350 and 0.28 gts in Sy.No. 273/93, situated at Pusugudem, Mulakalapalli Village & Mandal of Khammam District is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent police to provide protection to the petitioners and to their lands

Counsel for the Petitioners: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: GP FOR HOME

The Court made the following:

ORDER:

This writ petition is filed by the petitioners, aggrieved by the inaction of the respondent on the representation of the petitioners dated 18.05.2004, which was addressed to the Mandal Revenue Officer, who in turn forwarded the same to the respondent.

2. According to the petitioners, they own a small extents of land admeasuring Ac.2.02 guntas in Survey No.333/2, Ac.2.19 guntas in Survey No.350 and Ac.0.28 guntas in Survey No.278/93 situated at Pusugudem, Mulakalapalli village & Mandal of Khammam District. As there was a disturbance in the village and the petitioners' possession was being interfered with, the petitioners made the above representation to the respondent through the Mandal Revenue Officer. But, the respondent did not take any action even though the said representation was forwarded to him by the Mandal Revenue Officer. Hence, the present writ petition.

3. Though the matter came up for hearing on 02.07.2004, it was adjourned by a week for getting instructions by the learned Government Pleader. But, however, the learned Government Pleader was unable to get any instructions. Therefore, the matter is heard and disposed of at the admission stage.

4. Heard both sides and considered the material on record.

5. The grievance of the petitioners is that no action has been taken on their representation to give protection to them from the prospective encroachers of the land referred to above, which was addressed to the Mandal Revenue Officer, who in turn forwarded the same to the respondent.

6. In view of the above stated facts, the respondent is directed to consider the representation of the petitioners and provide protection as requested. Accordingly, the writ petition is disposed of. No costs.

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09.07.2004

VGB

To

1 The Sub-Inspector of Police, Mulakalapalli P.S., Mulakalapalli Mandal, Khammam District.
2 Two CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT)
3 Two CD copies.